



WESTFIELD-WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION

July 5, 2022
2206-PUD-12
Exhibit 1

Docket Number: 2206-PUD-12 (Ordinance No. 22-17)

Petitioner: NVS Properties 20 LLC

Request: An amendment to the Development and Architectural Standards of Parcel I of the Andover PUD District.

Current Zoning: Andover PUD District, as amended ([Ord. 03-40](#))

Current Land Use: Vacant

Acreage: 2.06 acres +/-

Exhibits:

1. Staff Report
2. Project Narrative
3. Location Map
4. Proposed Ord. 22-17
5. Red-line Ord. 22-17
6. Concept Site Plan
7. Building Elevations
8. Landscape Plan
9. Neighborhood Meeting Summary
10. Public Comment Exhibit

Staff Reviewer: Weston Rogers, Associate Planner

PETITION HISTORY

This petition was introduced at the May 9th, 2022 City Council meeting. The discussion for this petition can be viewed [here](#). The petitioner held a neighbor meeting on May 17, 2022. A summary this meeting has provided by the petitioner and included as **Exhibit 9**. A public hearing was held for this item at the June 6th, 2022 Advisory Plan Commission (the "Plan Commission") meeting. The discussion for this item can be viewed [here](#). The petition is set for APC Recommendation at the July 5, 2022 Advisory Plan Commission meeting.

This filed petition is related to the following previous applications associated with the subject 2.06-acre real estate.

- 12/08/2003
 - o Real estate incorporated into Andover PUD Zoning District
 - o Original Zoning Ordinance (Ord. [03-40](#))
- 04/01/2014
 - o Recording of Primary Plat
 - o Docket No. 1403-SPP-03

- 03/27/2015
 - o Recording of Secondary Plat
 - o Docket No. 1407-SFP-25

PROJECT OVERVIEW

Location: This subject real estate is approximately 2.06 acres in size and is located southeast at the intersection of Mere Blvd. and Grassy Branch Rd. (see **Exhibit 3**). The Property is currently zoned the Andover PUD District, which was originally adopted at the December 8, 2003 City Council meeting. Adjacent zoning districts include SF-2 and PUD containing Agriculture and Single-Family land uses.

Project Description: The petitioner is requesting an amendment to the Development and Architectural Standards of Parcel I of the Andover PUD District for the development of a daycare facility of 2.06 acres of real estate.

ORDINANCE DETAILS

Development Standards: The proposed amendment modifies some standards of the Original Ordinance, as described below:

- Local and Neighborhood Business Standards
 - o The original PUD ordinance assigned Parcel I the underlying zoning classification of Local and Neighborhood Business as outlined in Section 5 “Local Business Area”. Per Exhibit 6 – “Underlying Local and Neighborhood Business Standards” front yards adjacent to residential districts shall have a minimum Parking Area setback of thirty (30) feet from the Right-of-way. The proposed PUD Amendment would reduce the minimum Parking Area setback to ten (10) feet from the Right-of-way.
- Development and Architectural Standards
 - o The original PUD ordinance contained standards outlined in Section 8 “Development and Architectural Standards”.
 - These standards identify the maximum size of a daycare facility to be eight-thousand (8,000) square feet. The proposed PUD Amendment would modify the maximum size of a daycare facility to be eleven-thousand (11,000) square feet.
 - In addition, these standards default to the Zoning Ordinance requirements in effect at the time of PUD adoption. Per the 2000 Zoning Ordinance, External Insulation and Finishing Systems (EIFS) is identified to be used as a permitted primary building material per the Development Requirements for LB districts. The proposed PUD Amendment would replace External Insulation and Finishing Systems (EIFS) with Fiber Cement Siding as a permitted primary building material.

CHANGES SINCE LAST MEETING

Since the public hearing at the June 6, 2022 Plan Commission meeting the following changes have been incorporated into the proposed Andover PUD Amendment:

- 1) The front yard landscape buffer setback has been revised to match the front yard parking area setback of 10' from the Right-of-way.
- 2) The Landscape Plan has been added to the PUD Amendment as an exhibit which will be required to be developed in substantial compliance.

COMPREHENSIVE PLAN

The property falls within the "Existing Suburban" land use area of the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan"). Detached dwellings, attached dwellings, institutional uses, and recreational uses are contemplated as appropriate uses within the "Existing Suburban" area. Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zone map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

PROCEDURAL

Council Introduction: The petition was introduced at the May 9, 2022, City Council meeting.

Public Hearing: A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition was held at the June 6, 2022, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission's Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

DEPARTMENT COMMENTS

1. **Action:** Forward a recommendation to the City Council.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Weston Rogers at (317) 408-9895 or wrogers@westfield.in.gov